

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NORMAN LAMAR CLARK,

Petitioner,

v.

Case No.12-12466  
Honorable Patrick J. Duggan

STEVEN RIVARD,

Defendant.

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**OPINION AND ORDER (1) ADOPTING MAGISTRATE JUDGE'S MAY 20, 2013  
REPORT AND RECOMMENDATION; (2) DENYING WITH PREJUDICE  
PETITIONER'S PETITION FOR THE WRIT OF HABEAS CORPUS; AND (3)  
DENYING PETITIONER A CERTIFICATE OF APPEALABILITY**

On May 31, 2012, Plaintiff filed a *pro se* application for the writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which he challenges his November 30, 2010 convictions and sentence in the Wayne County Circuit Court. This Court has referred the matter to Magistrate Judge Paul Komives for a report and recommendation and for the entry of any preliminary and/or post-judgment orders. (ECF No. 8.) On May 20, 2013, Magistrate Judge Komives issued his Report and Recommendation (R&R) recommending that this Court deny Petitioner's application for the writ of habeas corpus and deny Petitioner a certificate of appealability. (ECF No. 10.)

At the conclusion of his R&R, Magistrate Judge Komives advises the parties that they may object to and seek review of the R&R within fourteen days of service upon them. (*Id.* at 12.) He further specifically advises the parties that “[f]ailure to file specific

objections constitutes a waiver of any further right to appeal.” (*Id.*) No objections to the R&R were filed.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Komives. The Court therefore adopts Magistrate Judge Komives’ May 20, 2013 Report and Recommendation.

Accordingly,

**IT IS ORDERED**, that Petitioner’s application for the writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DENIED**;

**IT IS FURTHER ORDERED**, that Petitioner is **DENIED A CERTIFICATE OF APPEALABILITY**.

Dated: June 12, 2013

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE that

Copies to:  
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AAG Laura Moody

Magistrate Judge Paul Komives